

under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,497,241 to Ostrover et al. (hereinafter "Ostrover"); and rejected claims 7-14 under 35 U.S.C. § 103(a) as being unpatentable over Applicants' "admitted prior art" in view of any one of Ostrover, U.S. Patent No. 5,126,981 to Kim (hereinafter "Kim"), U.S. Patent No. 5,289,288 to Silverman et al. (hereinafter "Silverman"), U.S. Patent No. 5,257,253 to Otsubo et al. (hereinafter Otsubo '253), or U.S. Patent No. 5,177,728 to Otsubo et al. (hereinafter Otsubo '728).

Applicants have previously traversed the rejections in a response dated June 17, 1999. Applicants respectfully reiterate the arguments presented in the June 17, 1999 response and further clarify the arguments herein.

Applicants previously directed the Examiner to Applicants' claim of priority under 35 U.S.C. §119 to Korean Patent Application No. 18841/1993, filed September 17, 1993. See Applicants' transmittal letter, filed December 11, 1998. Applicants respectfully submit that Ostrover was filed on October 29, 1993. Therefore, Applicants submit that Ostrover cannot be considered prior art to reject the claims of Applicants' invention. In response, the Examiner has stated in the August 31, 1999 Office Action that "applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 C.F.R. 1.55." Accordingly, Applicants concurrently submit a translation of the priority papers under 37 C.F.R. 1.55. In light of this submission, Applicants request the Examiner to withdraw the rejections of the claims 7-14 under both 35 U.S.C. 102(e) and 35 U.S.C. 103(a) as being anticipated by Ostrover and by being unpatentable over applicant's admitted prior art in view of Ostrover.

LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, D. C. 20005  
202-408-4000

Applicants respectfully traverse the rejection under 35 U.S.C. § 103(a) of claims 7-14, because the references as combined fail to teach or suggest all the claim elements. Applicants have previously requested clarification from the Examiner as to which elements of each reference the Examiner deems to anticipate or render obvious the combination of features recited in the claimed invention. The Examiner has failed to do so. Applicants respectfully request the Examiner to provide such a showing in order to properly respond to the Examiner's rejection. In the absence of such clarification from the Examiner, Applicants reiterate the previous arguments with the Applicants' following clarification.

Independent claim 7 requires a device for processing an audio signal including, for example, "a selector for selecting one of the separated audio signals in response to an input applied from a key matrix." (Emphasis added). The Examiner correctly states on page 3 of the Office Action dated March 25, 1999, that Applicants' admitted prior art fails to disclose or suggest "the claimed selector and selecting step for selecting on of a plurality of separated audio signals reproduced from a record medium." In order to cure this deficiency, the Examiner combines Applicants' admitted prior art with either Kim, Silverman, Otsubo '253, or Otsubo '728.

Applicants previously argued that Kim discloses recording and selective reproduction of a voice signal received from a tuner and external voice signal. However, Kim fails to disclose or suggest the claimed key matrix or input applied from such a matrix as recited in the claimed invention. Additionally, Kim fails to teach or suggest a selector for selecting one of the separated audio signals in response to such input from a key matrix. Kim discloses switching portion 30a-30d. Kim also identifies

LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, DC 20005  
202-408-4000

switching portion 30b and 30c as 1<sup>st</sup> matrix and 2<sup>nd</sup> matrix in FIG.1. However, Kim fails to disclose or suggest the switching portions to be in response to an input from a key matrix. Thus, Applicants submit that Kim fails to cure the deficiencies of the admitted prior art. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claim 7 under 35 U.S.C. 103(a) as being unpatentable over Applicants' admitted prior art in view of Kim.

Silverman discloses a video system in which multiple languages can be encoded within a bandwidth of a standard video signal. As with Kim, Silverman fails to disclose or suggest the claimed key matrix or input applied from such a matrix as recited in the claimed invention. Additionally, Silverman fails to teach or suggest a selector for selecting one of the separated audio signals in response to such input from a key matrix. Thus, Silverman fails to cure the deficiencies of the admitted prior art. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claim 7 under 35 U.S.C. 103(a) as being unpatentable over Applicants' admitted prior art in view of Silverman.

As with Kim, and Silverman, both Otsubo '253, and Otsubo '728 fail to disclose or suggest the claimed key matrix or input applied from such a matrix as recited in the claimed invention. Additionally, both Otsubo '253, and Otsubo '728 fail to teach or suggest a selector for selecting one of the separated audio signals in response to such input from a key matrix. Thus, both Otsubo '253, and Otsubo '728 fail to cure the deficiencies of the admitted prior art. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claim 7 under 35 U.S.C. 103(a) as being unpatentable over Applicants' admitted prior art in view of either Otsubo '253 or

LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N.W.  
WASHINGTON, D. C. 20005  
202-408-4000

Otsubo '728 .

As with independent claim 7, independent claim 12 recites a method for processing an audio signal including, for example, "selecting one of the separated audio signals in response to an input applied from a key matrix." (Emphasis added).

For at least the same reasons as with claim 7, Applicants respectfully submit that neither the admitted prior art, Kim, Silverman, Otsubo '253, nor Otsubo '728 disclose or suggest the combination of elements recited in the claimed invention. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claim 12 under 35 U.S.C. 103(a) as being unpatentable over Applicants' admitted prior art in view of either Kim, Silverman, Otsubo '253, or Otsubo '728.

Applicants submit that claims 8-10, 13, and 14 are allowable by virtue of their respective dependency from claims 7 and 12, as well as for their additional novel subject matter.

Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of pending claims 7-14.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-916.

Respectfully submitted,  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: Walter J. Sutcliffe Reg. No. 24,914  
for Andrew Chanho Sonu  
Reg. No. 33,457

Dated: November 30, 1999